

P-999/CI-92-992 ORDER INITIATING INVESTIGATION

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm
Tom Burton
Cynthia A. Kitlinski
Dee Knaak
Norma McKanna

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of a Commission
Initiated Investigation into the
Provision of Custom Local Area
Signalling Services in Minnesota

ISSUE DATE: AUGUST 28, 1992

DOCKET NO. P-999/CI-92-992

ORDER INITIATING INVESTIGATION

PROCEDURAL HISTORY

On May 29, 1992, Mankato Citizens Telephone Company (Mankato or the Company) sent a letter to the Commission notifying the Commission of its intent to offer ten telephone services for six months commencing in mid-August as part of a technical service study of Custom Local Area Signalling Services (CLASS). The matter was assigned to Docket No. P-414/M-92-576.

On June 25, 1992, the Minnesota Department of Public Service (the Department) filed a letter requesting that the Commission impose several conditions on Mankato's study. In addition, the Department recommended that the Commission begin a generic investigation into CLASS services.

On August 18, 1992, the Commission met to consider this matter.

FINDINGS AND CONCLUSIONS

In a separate Order issued this day, the Commission has approved Mankato's proposal to offer ten CLASS services for a six month period as part of the Company's technical study which seeks to determine the technical capacity of Mankato's system to provide CLASS services and to train its employees to explain the CLASS service functions to customers and to address any customer problems experienced by such customers. In approving the technical study, the Commission imposed many conditions on the study, including a requirement that the Company notify all its subscribers that the study was being conducted and how one of the services offered to participants during the study period (Automatic Callback) could affect them. In the Matter of the

Mankato Citizens Telephone Company's Proposal to Study Custom Local Area Signalling Services, Docket No. P-414/M-92-576, ORDER APPROVING STUDY AS MODIFIED (August 24, 1992).

CLASS Services have not yet been approved in Minnesota¹ and some of those services have raised serious privacy concerns when considered in other states. At issue is whether certain features which allow customers greater control over their telephone traffic and give the customer information about or access to persons placing calls to the customer inappropriately breach the privacy rights of those callers. Of particular concern to the Commission in that regard are such CLASS Services as Caller ID and Automatic Recall. The Caller ID feature allows subscribers to view the name and number of an incoming call before answering. The Automatic Recall service consists of two functions: first, by a recorded message feature called voice-back, it gives the participant the number of the party who made the most recent call that the participant missed; second, it allows the participant to automatically return that call by dialing a code or pressing a programmed key.

Although the Commission has not yet received a proposal to offer CLASS Services on a permanent basis in Minnesota, it appears that such proposals are imminent. In anticipation of this development, the Commission deems it prudent to inform itself thoroughly regarding the difficult issues involved in this matter by seeking input and gathering information. Accordingly, the Commission will initiate a generic investigation into CLASS Services.

Information sought from interested parties includes the following:

1. Description of the CLASS services;
2. The various ways CLASS services can be used;
3. The experience with CLASS services in other states;
4. Minnesota market characteristics;
5. Pricing of CLASS services;
6. Identification of privacy issues with CLASS services;

¹ The Commission's decision to allow Mankato's technical study of CLASS services under certain conditions does not mean that the Commission believes that such conditions would be sufficient, workable, or appropriate in the context of a permanent exchange-wide offering of those services.

7. Legal background for privacy issues;
8. Policy discussion of privacy issues;
9. Special concerns: law enforcement agencies, mental health professionals, shelters;
10. Regulation of CLASS services.

In this Order, the Commission will establish a period for receiving initial comments regarding these topics from all concerned.

ORDER

1. An investigation into whether Custom Local Area Signalling Services (CLASS Services) will be authorized in Minnesota, and if so under what conditions, is hereby commenced.
2. Within 60 days of this Order, parties or persons concerned may file initial comments regarding the topics listed on pages 2-3 of this Order.
3. Any person wishing to file reply comments to the initial comments filed pursuant to Ordering Paragraph 2 shall do so within 30 days after the end of the comment period authorized by Ordering Paragraph 2. Copies of the initial comments will be available for review at the Commission.
4. Only the parties or persons who filed initial comments and or reply comments will be placed on the service list to be developed for this proceeding.
5. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster
Executive Secretary

(S E A L)